

# CITY OF LYNDEN

## EXECUTIVE SUMMARY



<b>Meeting Date:</b>	April 5, 2021	
<b>Name of Agenda Item:</b>	Remand of Site Specific Rezone 20-05 – O & S Farms	
<b>Section of Agenda:</b>	Consent	
<b>Department:</b>	Planning Department	
<b>Council Committee Review:</b>	<input type="checkbox"/> Community Development <input type="checkbox"/> Finance <input type="checkbox"/> Parks	<input type="checkbox"/> Public Safety <input type="checkbox"/> Public Works <input type="checkbox"/> Other: _____
	<b>Legal Review:</b> <input checked="" type="checkbox"/> Yes - Reviewed <input type="checkbox"/> No - Not Reviewed <input type="checkbox"/> Review Not Required	
<b>Attachments:</b>		
Findings of Fact, Conclusions of Law and Order related to Site Specific Rezone 20-05 – O&S Farms		
<b>Summary Statement:</b>		
<p>On March 15, 2021 the City Council remanded the Site Specific Rezone application 20-05 to the Planning Commission for reasons specified in the attached order.</p> <p>The rezone application was submitted by Ashley Gosal, on behalf of Fishtrap Creek LLC. The request would shift the property located at 8035 Guide Meridian from Commercial Services – Regional (CSR) to Commercial Services – Local (CSL).</p> <p>The City’s Land Use Code includes the criteria by which site specific rezones can be approved. These are addressed in the application. The Committee’s review concluded with a recommendation for approval of the site specific rezone given that the aforementioned code revisions and the changes to the retail market marked a change condition as described in the approval criteria (LMC 17.19.050).</p> <p>The Planning Commission considered the rezone request at a public hearing on January 28, 2021. The hearing concluded with a recommendation to the City Council to deny the rezone request.</p> <p>After the Planning Commission decision, the Planning Department received a letter from legal counsel for the applicant. The letter outlines concerns related to the January 28<sup>th</sup> hearing. Per RCW 42.30.140(2) the City Attorney recommended that these concerns be discussed in executive session. The resulting decision was to remand the item to the Planning Commission for a new open public hearing as detailed in the attached document.</p>		
<b>Recommended Action:</b>		
Motion to recommend approval of the Findings of Fact, Conclusions of Law and Order regarding Site Specific Rezone Application 20-05 by Fishtrap Creek, LLC. which calls for a new hearing to occur on or before May 22, 2021, and authorize the Mayor’s signature on the document.		